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14 *Timothy Garrett, Brian Williams,*
15 *Kara LeGrand, and Harold Wickham*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 RONALD GARREN,

Case No. 3:23-cv-00141-MMD-CSD

12 Plaintiff,

13 v.

14 **JOINT STIPULATION TO STAY THE**
15 **CASE 90 DAYS**
16 **[First Request]**

JAMES DZURENDA, *et al.*,

Defendants.

17 Plaintiff, Ronald Garren, and Defendants, Scott Davis, James Dzurenda, Mario
18 Castro, Timothy Garrett, Brian Williams, Kara LeGrand, and Harold Wickham, by and
19 through counsel, Aaron D. Ford, Nevada Attorney General, and Nathan M. Claus, Deputy
20 Attorney General, of the State of Nevada, Office of the Attorney General, hereby submit
21 this *Joint Stipulation to Stay the Case 90 Days*. This Motion is based upon the following
22 Memorandum of Points and Authorities and all other pleadings and files contained herein.

23 **MEMORANDUM OF POINTS AND AUTHORITIES**

24 **I. BACKGROUND AND RELEVANT PROCEDURAL HISTORY**

25 Plaintiff filed this case alleging violations of his constitutional rights.¹ Defendants
26 have accepted service.² On or around March 16, 2024, Mr. Garren was released from
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28 ¹ ECF No. 11.

² ECF No. 29.

1 Lovelock Correctional Center (LCC). The Court has not entered a Scheduling Order for this
 2 case as of April 1, 2024.

3 **II. APPLICABLE LAW FOR MOTION TO STAY DISCOVERY**

4 Courts have broad discretionary power to control discovery.³ “The Federal Rules of
 5 Civil Procedure do not provide for automatic or blanket stays of discovery when a
 6 potentially dispositive motion is pending.”⁴ Instead, a party seeking to stay discovery
 7 carries the burden of making a strong showing why discovery should be denied.⁵

8 In deciding whether to grant a stay of discovery, the court is guided by the objectives
 9 of Fed. R. Civ. P. 1 to ensure a “just, speedy, and inexpensive determination of every
 10 action.”⁶ Staying discovery when a court is convinced that the plaintiff will be unable to
 11 state a claim for relief furthers the goal of efficiency for the court and the litigants.⁷

12 **III. ARGUMENT TO STAY DISCOVERY**

13 Staying this case will further the goal of efficiency for this Court and the parties.
 14 Plaintiff is currently working on establishing his housing situation since his release from
 15 LCC. Further, there is no discovery order from the Court yet, so there are no deadlines that
 16 will need to be moved. Finally, a 90-day stay of the case will increase judicial efficiency to
 17 allow time for Plaintiff to secure space to store legal documents that will be disclosed
 18 through discovery. Thus, this Court should stay the case for 90 days.

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25 ³ See, e.g., *Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir.1988).

26 ⁴ *Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 601 (D. Nev. 2011).

27 ⁵ See, e.g., *Turner Broadcasting Sys., Inc. v. Tracinda Corp.*, 175 F. R. D. 554, 556 (D. Nev. 1997).

28 ⁶ *Tradebay*, 278 F. R.D. at 602–03.

⁷ *Little*, 863 F.2d at 685 (noting a stay of discovery furthered the goal of efficiency where a party had moved for judgment on the ground of qualified immunity).

1 **IV. CONCLUSION**

2 The parties respectfully request this Court grant their joint stipulation to stay the
3 case for 90 days.

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5 DATED this 19 day of April, 2024.

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7 DATED this 24th day of April, 2024.

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10 AARON D. FORD
11 Attorney General

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13 _____
14 Ronald Garren
15 Plaintiff

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18 /s/ *Nathan M. Claus*
19 Nathan M. Claus (Bar No. 15889)
20 Attorneys for Defendant

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ORDER

29 **IT IS SO ORDERED.** This matter is STAYED FOR NINETY DAYS.

30 DATED _____, 2024.

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39 UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Office of the Attorney General, and that on April 24, 2024, I electronically filed the foregoing **JOINT STIPULATION TO STAY THE CASE 90 DAYS (FIRST REQUEST)** via this Court's electronic filing system. Parties who are registered with this Court's electronic filing system will be served electronically. For those parties not registered, service was made by depositing a copy for mailing in the United States Mail, first-class postage prepaid, at Las Vegas, Nevada to the following:

Ronald Garren
Parkway Lodge
49 Park Street
Apt. 30
Reno, Nevada 89502

/s/ Andrea Beckett
ANDREA BECKETT, an employee of the
Office of the Nevada Attorney General